

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

**GEMSTONE FOODS, LLC and
RCF, LLC**

Plaintiffs;

v.

**AAA FOODS ENTERPRISES,
INC.; A&M CONSULTING FIRM,
LLC; FARM FRESH FOODS,
LLC; COOPER, HILL &
LECROIX, CPAs; MICHAEL
CLAUDE ENSLEY; ANNETTE
CARR; SHANE PASS; MARK
WELBORNE; MATTHEW
WESTER; EDWARD L. HILL;
GARY HILL; DEBORAH
CAMPOS; and John and Jane Does
1-10**

Defendants.

- AND -

MICHAEL ENSLEY, et al.,

Plaintiffs;

v.

BEN O. TURNAGE, et al.,

Defendants.

Case No.: 5:15-cv-2207-MHH

Case No.: 5:15-cv-01179-MHH

STIPULATION OF PARTIES

As required by Rule 26(f) of the Federal Rules of Civil Procedure, the parties presented to the Court a Report of Parties Planning Meeting to the Court through Special Master, Cal Mayo. The parties have engaged in extensive discovery in the case, including review and production of more than one hundred thousand documents and need an extension of the discovery deadlines and other deadlines in the case in order to properly prepare the case for trial as follows:

1. Discovery Plan

- Unless modified by the Court for good cause shown, all discovery must be commenced in time to be completed by February 28, 2019.
- Nothing in this Stipulation prejudices or constitutes a waiver of a Party's right to request that the Special Master modify the discovery plan, which will only be done for good cause shown.
- Unless modified by stipulation of the parties, with approval of the Special Master, or Court order, the parties agree to the following modified discovery limitations:

2. Experts

Unless modified by stipulation of the parties with approval of the Special Master, the disclosure of expert witnesses, including a complete report under Rule 26(a)(2)(B) from any retained expert are due by the following dates:

- **Initial report from party bearing the burden of proof** (Plaintiffs in each respective case): November 1, 2018.
- **Responsive report from party not bearing the burden of proof**

(Defendants in each respective case): January 15, 2019.

3. Amendment of Pleadings

The parties shall amend all pleadings by October 1, 2018.

4. Trial

The case should be ready for trial by July, 2019. At this time, the parties expect it to take three weeks of trial time.

5. Special Master Approval and Recommendation

This Report has been reviewed and approved by Special Master Cal Mayo. Following a conference call with the Parties, the Special Master recommends entry of a Scheduling Order consistent with the contents of this Report.

This the 18th day of June, 2018.

/s J. Cal Mayo, Jr.

J. Cal Mayo, Jr., Special Master

/s Michael Heilman

One of the Attorneys for Plaintiffs

/s Jeff Starling

One of the Attorneys for Defendants

OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

This the 18th day of June, 2018.

/s/Michael A. Heilman

Michael A. Heilman (admitted *pro hac vice*)